

**FILED**

**3/15/2021**

**CP**

**THOMAS G. BRUTON  
CLERK, U.S. DISTRICT COURT**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

JAMES MASSEY, also known as "Steve Nash"

Case No. 21 CR 142

Violations: Title 18, United States Code,  
Sections 2101(a)(1), (2)

**JUDGE KENNELLY  
MAGISTRATE JUDGE HARJANI**

The SPECIAL NOVEMBER 2020 GRAND JURY charges:

1. At times material to this indictment:

a. Defendant maintained an account on Facebook under the name "Steve Nash" and used the account to post videos and photographs that could be viewed on the internet by Facebook users. Defendant also used that account to send messages to various Facebook users.

b. On or about August 9, 2020, and August 10, 2020, there was civil unrest in the City of Chicago that resulted in property damage to numerous businesses, including property damage to Store A, Store B, Store C, and Store D, each of which was a business located in the City of Chicago.

2. From on or about August 9, 2020 to on or about August 10, 2020, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

JAMES MASSEY, also known as "Steve Nash," defendant herein, used a facility of interstate commerce, namely, a telephone and the internet, including Facebook, with intent (1) to incite a riot; and (2) to participate in, and carry on, a riot; and during the course of such use, and thereafter, intentionally

performed and attempted to perform any other overt act, including, but not limited to those listed below, for the purpose of inciting a riot and participating in, and carrying on, a riot.

OVERT ACTS

3. Defendant performed one or more overt acts in the Northern District of Illinois, constituting an incitement of a riot, and participating in, and carrying on a riot, which overt acts included but were not limited to the following:

a. On or about August 9, 2020, defendant posted a live video to his Facebook account with the accompanying caption: "ATTENTION ATTENTION LOTTING [sic] START AT 12am tonight ...WE WILL NOT BE FUCKING UP THE SOUTH SIDE EAST SIDE OR WEST SIDE DOWNTOWN AREA AND UP NORTH AREA ONLY BRING YA TOOLS SKI MASK AND GLOVES #LETSGOOOOO."

b. On or about August 9, 2020, at approximately 7:54 p.m., defendant sent a message from his Facebook account to a group of Facebook users stating, "Bro im hitting phone store."

c. On or about August 9, 2020, at approximately 9:13 p.m., defendant sent a message from his Facebook account to the same group of Facebook users referenced in paragraph 3(b) stating, "WE LIVE TOGETHER WE DIE TOGETHER."

d. On or about August 9, 2020, at approximately 11:27 p.m., defendant posted a picture on his Facebook account with the caption, "Lets get ready to steal bitch."

e. On or about August 9, 2020, at approximately 11:30 p.m., defendant posted a live video on his Facebook account in which he said, "I finna link up with everybody. I driving [Individual A] right now, y'all. I driving [Individual A] right now. Yall ready? I sent everybody the location to link up at bro. I trying to get something. I need to hit a couple stores."

f. On or about August 9, 2020, at approximately 11:43 p.m., defendant posted a live video on his Facebook account in which he said, "Fitting to go fuck them up. I ain't missing out. I am ready to steal."

g. On or about August 10, 2020, defendant and other individuals traveled in his vehicle to Store A, Store B, Store C, and Store D.

h. On or about August 10, 2020, at approximately 1:00 a.m., multiple individuals, including defendant, assembled near Store A, which was located in the area of the 900 block of West Weed Street in Chicago. Defendant and the assemblage, which included three or more persons, used tools that were inside defendant's vehicle to gain entry into Store A. The assemblage broke the window of Store A and damaged the property of Store A to gain entry to Store A. The assemblage entered Store A and stole merchandise and store property from Store A.

i. On or about August 10, 2020, at approximately 1:25 a.m., defendant and other individuals assembled near Store B, which was located in the area of the 800 block of North Michigan Avenue in Chicago. The assemblage, which included three or more persons, damaged the property of Store B by breaking a

window of Store B to gain entry to Store B. The assemblage, including defendant, entered Store B and stole Store B's merchandise.

j. On or about August 10, 2020, at approximately 5:06 a.m., defendant and other individuals assembled near Store C, which was located in the area of the 700 block of South Clark Street in Chicago. The assemblage, which included three or more persons, broke in through the front door of Store C to gain entry to Store C. The assemblage, including defendant, entered Store C and stole certain Store C merchandise. The assemblage damaged Stores C's property while inside Store C.

k. On or about August 10, 2020, at approximately 5:44 a.m., defendant and other individuals assembled near Store D, which was located in the area of the 300 block of West Washington Street in Chicago. The assemblage, which included three or more persons, damaged the property of Store D by breaking a window to gain entry to Store D. The assemblage, including defendant, entered Store D and stole certain Store D merchandise.

In violation of Title 18, United States Code, Sections 2101(a)(1) and 2101(a)(2).

A TRUE BILL:

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FOREPERSON

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signed by Steven J. Dollear on behalf of the  
UNITED STATES ATTORNEY